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U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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September 18, 2006

BUD ALBRIGHT, STAFF DIRECTOR

Mr. Joe Depante
Owner
Action Research Group
1704 Airport Blvd.
Melbourne, FL 32901-4313

Dear Mr. Depante:

I am writing to confirm the invitation for you to testify before the Subcommittee on Oversight and Investigations on Thursday, September 28, 2006, at 10:00 a.m. in 2123 Rayburn House Office Building. The hearing is entitled "Hewlett-Packard's Pretexting Scandal."

Please respond to the Committee in writing no later than 5:00 p.m., (EST) Wednesday, September 20, 2006, to confirm that you will appear voluntarily to testify and answer questions on this matter. Given the circumstances surrounding this particular case of pretexting involving the highest levels of corporate governance within Hewlett-Packard Company, the company's general counsel, and the Board of Directors' outside counsel, I ask that you carefully consider this hearing an opportunity to be fully open and transparent with the testimony that you provide.

Following are important details concerning the preparation and presentation of your testimony.

The Form of Your Testimony. You are requested to submit a written statement which may be of any reasonable length and may contain supplemental materials; however, please be aware that the Committee cannot guarantee that supplemental material will be included in the printed hearing record. Your written statement should be typed, double spaced, and should have attached a one-page summary of the major points you wish to make. You will have an opportunity to present an oral summary of your testimony to the Subcommittee; to ensure sufficient time for Members to ask questions, your oral presentation should be limited to five minutes.

Pursuant to Rule 4(b)(1) of the Rules of the Energy and Commerce Committee (a copy of which is enclosed), I am requesting you to provide 150 copies of your written statement at least two working days in advance of your appearance. This will allow Members and staff the opportunity to review your testimony.

You or an employee of your office or organization must deliver your testimony in person, and arrangements for delivery should be made in advance by contacting the Legislative Clerk of the Committee. If your testimony exceeds one box in volume, advanced notice of delivery must be given to the Legislative Clerk in order to satisfy the security procedures of the Capitol Police. Information needed for delivery includes the name of the person who will be delivering the testimony, the time of delivery, and the number of boxes being delivered in order to obtain security clearance. If you are unable to provide the requisite number of hard copies of your testimony personally, please contact the Legislative Clerk in advance to arrange for alternative means of delivery. In accordance with the guidelines established by the Chief Administrative Officer of the House, however, no commercial carriers will be allowed access to the House Office Buildings.

Rule 4(b)(1) of the Committee Rules also requires that, if you have the technological capability, you should also submit a copy of your testimony in electronic format, i.e., on a computer disk or as an email attachment. The Committee will post your testimony to the Committee Website (at "<http://energycommerce.house.gov/>") after the hearing. This will increase public access to your testimony and reduce the Committee's printing costs. Please be aware that submission of your testimony in electronic form does not relieve you of the obligation to submit the requested number of printed copies of your testimony. Additional guidelines for submission of testimony in electronic format are enclosed.

Please personally deliver the electronic and printed copies of your testimony required two working days before the hearing to the Legislative Clerk for the Committee on Energy and Commerce in 2125 Rayburn House Office Building, Washington, D.C. 20515.

The Truth-in-Testimony Requirement. Clause 2(g)(4) of Rule XI of the Rules of the House, and Rule 4(b)(2) of the Committee Rules, require that witnesses appearing in a nongovernmental capacity disclose the amount and source of: (1) any federal grant, or subgrant thereof, by agency and program; and (2) any federal contract, or subcontract thereof, received by the witness, or by an entity represented by the witness, during the current fiscal year or either of the two preceding fiscal years. Enclosed is a two-sided page which is intended to assist you in complying with this requirement. This completed form, and a copy of your curriculum vitae or resume, should be attached to each copy of your testimony

Publication of the Hearing Record. Rule XI, clause 2(e)(1)(A) of the Rules of the House requires the Committee to keep a written record of committee hearings which is a substantially verbatim account of remarks made during the proceedings, subject only to technical, grammatical, and typographical corrections. Your testimony, the transcript of the hearing, and any other material that the Subcommittee agrees to include in the hearing record (subject to space limitations) will be printed as a record of the hearing. You will receive a copy of the

Mr. Joe Depante
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printed hearing record when it becomes available, usually 30 to 60 days after the date of the hearing.

Please be aware that, in accordance with its usual practice, the Subcommittee will employ the following procedures with regard to your testimony:

- (1) witnesses will be required to provide sworn testimony; and
- (2) witnesses have an absolute right to be represented by counsel, who may advise the witnesses on their Constitutional rights, but cannot testify. If appearing as a witness, counsel will be sworn.

If you have any questions concerning any aspect of your testimony, please contact Tom Feddo or Andrew Snowden of the Energy and Commerce Committee staff at (202) 225-2927.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ed Whitfield". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Ed Whitfield
Chairman
Subcommittee on Oversight
and Investigations

Enclosures: (1) Electronic Format Guidelines
(2) Rules for the Committee on Energy and Commerce **(via U.S. Mail only)**
(3) Truth-in-Testimony disclosure form

Guidelines for the Electronic Submission of Congressional Testimony

The Rules of the House Energy and Commerce Committee require each witness, to the greatest extent practicable, to submit a copy of their testimony in an electronic format prescribed by the Chairman. Testimony submitted in electronic form will be used to produce the printed hearing record, and also may be converted to HTML or Adobe Portable Document Format and posted after the hearing to the Committee on Energy and Commerce website at <http://energycommerce.house.gov>. Your compliance with this requirement will facilitate the distribution of your testimony, and help the Committee to minimize the costs of printing the hearing record.

Materials submitted to the Committee for electronic publication must be formatted in one of the formats listed below.

Windows or Macintosh Environment

Microsoft Word, Word Perfect, or PDF only – NO EXCEPTIONS

Please e-mail a copy, as soon as is available to the Legislative Clerk at:

Matt.Johnson@mail.house.gov

A secondary copy may be submitted on a CD-ROM, or 3.5 inch floppy disk

In addition, please label your disk with the following information, to be included with your **100 hard copies**: 1) Witness Name; 2) Witness Organization; and 3) Name and Date of Hearing; and 4) the file format used.

House Committee on Energy and Commerce

Witness Disclosure Requirement - "Truth in Testimony"

Required by House Rule XI, Clause 2(g)

Your Name:		
1. Are you testifying on behalf of a Federal, State, or Local Government entity?	Yes	No
2. Are you testifying on behalf of an entity other than a Government entity?	Yes	No
3. Please list any federal grants or contracts (including subgrants or subcontracts) which <u>you</u> have received since October 1, 2003:		
4. Other than yourself, please list what entity or entities you are representing:		
5. If your answer to question number 2 is yes, please list any offices or elected positions held or briefly describe your representational capacity with the entities disclosed in question number 4:		
6. If your answer to question number 2 is yes, do any of the entities disclosed in question number 4 have parent organizations, subsidiaries, or partnerships to the entities for whom you are not representing?	Yes	No
7. If the answer to question number 2 is yes, please list any federal grants or contracts (including subgrants or subcontracts) which were received by the entities listed under question 4 since October 1, 2003, which exceed 10% of the entities revenue in the year received, including the source and amount of each grant or contract to be listed:		

Signature: _____ Date: _____

GUIDELINES FOR COMPLYING WITH THE TRUTH-IN-TESTIMONY REQUIREMENT UNDER THE HOUSE RULES

Instructions for Completing the Truth-in-Testimony Disclosure Form

1. ***In General.*** The form on the reverse side of the page is intended to assist witnesses appearing before the Committee on Energy and Commerce in complying with rule XI, clause 2(g)(4) of the Rules of the House of Representatives. The rule requires that:

In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

Please complete the form in accordance with these directions.

2. ***Name.*** Please provide the name of the witness in the appropriate box.
3. ***Governmental Organization (Item 1).*** Please check the box indicating whether the witness is testifying on behalf of a Federal department or agency, or a state or local department, agency, or jurisdiction. Trade or professional associations of public officials are not deemed to be governmental organizations.
4. ***Other Entity (Item 2).*** Please check the box indicating whether the witness is testifying on behalf of an entity other than a governmental entity.
5. ***Grants and Contracts (Item 3).*** Please list any federal grants or contracts (including subgrants or subcontracts) that the witness has personally received from the federal government since October 1, 1999.
6. ***Entity(ies) Representing (Item 4).*** Please list all entities on whose behalf the witness is testifying.
7. ***Representational Capacity (Item 5).*** If the answer to question number 2 is yes, please characterize the capacity in which the witness is testifying on behalf of the entities listed in question number 4.
8. ***Affiliated Entities (Item 6).*** Please indicate whether the entity on whose behalf the witness is testifying has parent organizations, subsidiaries, or partnerships who are not being represented by the testimony.
8. ***Grants and Contracts (Item 7).*** Please disclose grants and contracts as directed in Item 7.
10. ***Submission.*** Please sign and date the form in the appropriate place. Please submit this form with your written testimony. Please note that under the Committee's rules, written testimony must be submitted 48 hours before the commencement of the hearing.